HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.17270 of 2006

Date : 30-8-2006

Between:

Smt.Chintada Varalaxmi w/o.Dharmarao .. Petitioner

And

1. State Election Commission,
   Andhra Pradesh, Secunderabad,
   Buddha Bhavan, rep.by its Secretary.
2. The District Election Authority-cum-
   District Collector, Srikakulam District,
   Srikakulam.
3. The Regional Election Officer-cum-
   Revenue Divisional Officer, Tekkali,
   Srikakulam District.
4. Assistant District Election Authority-cum-
   Mandal Parishad Development Officer,
   Kotabommali, Srikakulam District.
5. Returning Officer/Election Officer,
   Harischandrapuram Gram Panchayat,
   Kotabommali Mandal,
   Srikakulam District.
6. Smt.Uppada Sasirekha w/o.Jairam Uppada,
   aged 20 years 3 months, occ: Household,
   r/o.Chinnaharischandrapuram village,
   Harischandrapuram Post and Panchayat,
   Kotabommali Mandal,
   Srikakulam District. .. Respondents

HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.17270 of 2006

ORDER:

The Writ Petition is filed for a writ of mandamus or any other appropriate writ declaring the action of official respondents in canceling the nomination of the 6th respondent to the post of Sarpanch, Harischandrapuram Gram Panchayat, Kota Bommali Mandal, Srikakulam District in spite of repeated representation being made by the petitioner informing about the 6th respondent being under-aged is ineligible to contest for the said post as being illegal, arbitrary, violative of Section 17 of the A.P. Panchayat Raj Act 1994 and also Chapter II of the Booklet issued by the 1st respondent and violative of Article 14 of the Constitution of India and consequently direct the official respondents to remove the 6th respondent from the said post and pass such other suitable orders.

The ground raised is that the 6th respondent is under-aged to contest for the post of Sarpanch. This question may have to be gone into before the appropriate Election

Tribunal. Liberty is given to the petitioner to raise appropriate election dispute by way of Election Petition if the petitioner is so advised. In view of the said liberty, the Writ Petition is disposed of. No costs.

_____

Justice P.S. Narayana

Date : 30-8-2006

AM